

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

TERRA PARTNERS,	§	
Plaintiff,	§	
vs.	§	CIVIL ACTION NO.
	§	2:08-CV-194-J
RABO AGRIFINANCE, INC. AND	§	(JURY DEMANDED)
AG ACCEPTANCE CORPORATION,	§	
Defendants.	§	

PLAINTIFF'S THIRD AMENDED TRIAL EXHIBIT LIST

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Terra Partners, Plaintiff, and submits its second amended trial exhibit list as follows:

Respectfully submitted,



/s/ Steven E. Clark
Texas Bar No. 04294800

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Attorney for Plaintiff
Terra Partners

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document has been served upon counsel for Defendants pursuant to the Federal Rules of Civil Procedure on this the 15th day of October, 2010.

/s/ Steven E. Clark

Trial Exhibit No.	Exhibit Description	Offered	Admitted
1	1994-07-01 Contract for Sale		
2	1994-10-28 VCC Resolution		
3	1994-11-01 Assignment of Contract for Sale		
4	1994-11-01 XXI Loan Commit to VFP		
5	1994-11-01 VFP \$1.1 mil note to XXI		
6	1994-11-01 VFP Sec Agree to XXI		
7	1994-11-01 VFP UCC-1 to XXI DSCo		
8	1994-11-01 VFP UCC-1 to XXI TX		
9	1994-11-01-4 XXI Lease to VFP		
10	1994-11-01-7 XXI Lease to VGC		
11	1994-11-10 FCBT Deed Of Trust		
12	1997-03-18 1997 Credit Application page 3		
13	1997-03-21 Acknowledgment of Leases		
14	1997-04-02 ASA		
15	1997-04-07 XXI Subrogation		
16	1998-05_ XXI Subrogation to ASA		
17	2000-05-01 Equipment Lease		
18	2000-09-01 XXI's Voluntary Petition		
19	2000-09-22 0108 VFP Schedules A – J		
20	2000-10-16 XXI Motion to Assume Leases		
21	2000-10-17 VFP Motion to Assume and Reject Contracts		
22	2000-11-17 Proceeding Memo RE XXI's Motion to assume leases		
23	2000-11-17 Proceeding Memo RWE VFP's Motion to Assume & Reject Contracts		
24	2001-01-17 Agreed Order RE Assumption of XXI Leases		
25	2001-05 Agreed Order on Assume & Reject Contracts		
26	2001-12-07 XXI's 2nd Modified Plan		

Trial Exhibit No.	Exhibit Description	Offered	Admitted
27	2001-12-07 VFP Confirmed Plan		
28	2002-01-03 Order Confirming 3rd Modified Plan		
29	2002-01-11 Order Confirming 2nd Modified Plan		
30	2002-07-06 ASV 2002 Lease		
31	2003-07-18 Extension of BV's lease to TP		
32	2003-07-18 XXI Lease to TP		
33	2003-08-01 Appraisal of Grain Elevator		
34	2003-08-12 AAC Foreclosure Notice		
35	2003-08-12 ASV Foreclosure Notice		
36	2003-08-14 Deed of Trust		
37	2003-08-25 Special Warranty Deed From AAC		
38	2004-01-01 Extension of XXI lease to TP		
39	2006-01-27 Bob Stephen's Deposition p. 26 – 28		
40	2006-06-09 Temporary Restraining Order to Ds' to not move or destroy equipment; Rabo Agrifinance, Inc. v. Terra XXI Ltd., et al.; Cause No. CI-06F-057; Walston Depo Ex. 13		
41	2006-07-24 Order (granting preliminary injunction to not remove or destroy equipment); Rabo Agrifinance, Inc., et al. v. Terra XXI Ltd., et al.; Cause No. 2-06CV-153; Walston Depo Ex. 14		
42	2006-09-08 NAD Determination RE 2006 DCP		
43	2006-10-1 Extension of BV's lease to TP		
44	2006-10-23 - Bill Kirk's Southwest Airlines Ticketless Confirmation		
45	2006-10-31 Photos of Equipment Not Sold		
46	2006-11-02 Inventory of Veigel Farms		
47	2006-11-02 Inventory of Veigel Farms; Fischels Depo Ex. 32		
48	2007-01-23 Middleton Appraisal		
49	2007-07-01 AAC & RAF Lease to Cnossen Dairy		
50	2007-07-01 HPJ Ads		
51	2007-08-06 Linda Kobliska Transcript RE TP Equip		

Trial Exhibit No.	Exhibit Description	Offered	Admitted
52	2007-08-06 Linda Kobliska Trial Transcript Excerpts		
53	2007-08-08 Judicial Admission RE Permission to Remove		
54	2007-08-29 Exhibit to Order		
55	2008-01-15 Final Judgment		
56	2008-02-13 Writ of Execution		
57	2008-03-20 Notice of Sale & Auction		
58	2008-04-02 Auction Sales Receipts		
59	2008-04-07 P's Notice of Sales Credits in Cause No. 2:05-CV-00243-J		
60	2008-04-08 Marshal's Return on Writ in Cause No. 2:06-CV-00153-J		
61	2008-07-01 AAC & RAF Lease to Cnossen Dairy		
62	2008-11-14 David LeBas letter		
63	2010-10-13 SV List of Converted Property		
64	2010-10-14 Assignments of Terra Partners		
65	Photos of Equipment - from produced cd labeled Terra Partners Farm Inspection CD		
66	Photos of Equipment Taken by C&W (bates # Rabo/RCS 00001 - 182)		
67	Maps of the Farm		
68	Auction Sales Receipts - Totals Tapes (bates #s Rabo/RCS 579-581, 601, 618-619, 649-650, 670-671 and 695)		
69	Ds' Response to Ps' Summary Judgment Notice Re Sales Credits and Objection to Confirmation of Sale in Cause No. 2:05-CV-00243-J		
70	Price Quotes		
71	Purchase Invoices		
72	Repair Invoices		
73	B Time Line		
74	BK's Assignment to TP		

Plaintiff also reserves the right to offer and use at trial any of Defendants' trial exhibits and documents requested to be produced by Plaintiff. Should Plaintiff's motion concerning Defendants' lack of capacity not be resolved prior to trial, then Plaintiff reserves the right to add such exhibits from the motion as additional trial exhibits¹.

¹ These exhibits are listed on Plaintiff's original exhibit list submitted on June 22, 2009.